

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA  
SOUTHWESTERN DIVISION**

|                                 |   |                      |
|---------------------------------|---|----------------------|
| Lonnie McPeak and Todd McPeak,  | ) |                      |
| d/b/a McPeak Partnership, and   | ) |                      |
| Kevin Fettig,                   | ) |                      |
|                                 | ) | <b>ORDER</b>         |
| Plaintiffs,                     | ) |                      |
|                                 | ) |                      |
| vs.                             | ) |                      |
|                                 | ) |                      |
| Cattleman's Choice Loomix, LLC, | ) |                      |
|                                 | ) | Case No. 1:08-cv-097 |
| Defendant.                      | ) |                      |

---

The court convened a status conference in the above-entitled action on May 19, 2010. Attorneys Sarah Vogel and Derrick Braaten appeared on behalf of the plaintiffs. Attorney Monte Roney appeared on the defendant's behalf. Pursuant to its discussions with counsel, the court **ORDERS** as follows:

1. The settlement conference scheduled for May 25, 2010, is cancelled.
2. The parties shall have until December 1, 2010, to file dispositive motions. All other pretrial deadlines shall be suspended pending further order of the court.
3. The trial currently scheduled for September 28, 2010, shall be rescheduled for April 11, 2011, at 9:30 a.m. in Bismarck, North Dakota, before Judge Hovland. A ten (10) day trial is anticipated.
4. The final pretrial conference scheduled for September 13, 2010, shall be rescheduled for March 29, 2011, at 10:00 a.m. before the undersigned in chambers.

Dated this 19th day of May, 2010.

/s/ Charles S. Miller, Jr.  
Charles S. Miller, Jr.  
United States Magistrate Judge